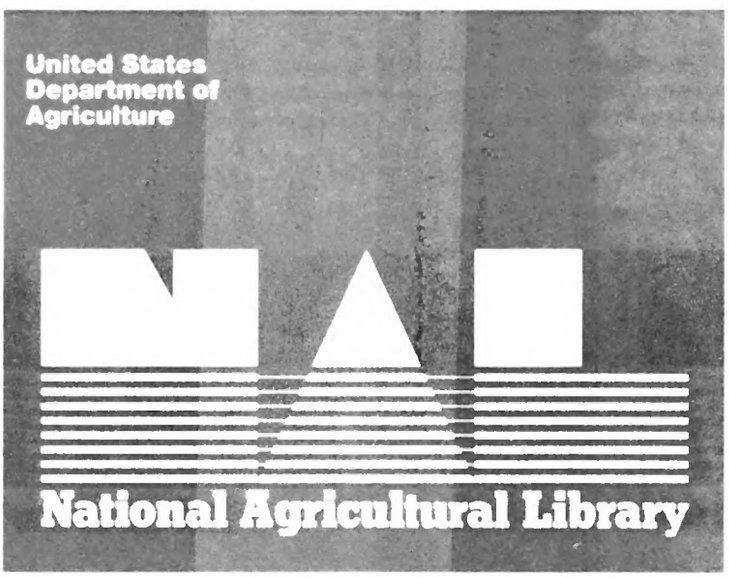
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RECORD OF DECISION FOR ASPEN HARVEST ASPEN MAINTENANCE AND ROAD DRAW ROAD RECONSTRUCTION

based on the

FINAL ENVIRONMENTAL IMPACT STATEMENT

for the

PRETTY TREE BENCH VEGETATION PROJECT

Escalante Ranger District
USDA Forest Service
Dixie National Forest
Garfield County Utah

I. INTRODUCTION

The Pretty Tree Bench Project Area lacks age and structural diversity, due in part to the absence of disturbance phenomena such as fire and timber harvest. The purpose of the Pretty Tree Bench Vegetation Project is to lessen the occurrence of unnatural, high intensity fires; create healthier vegetation conditions (such as greater age and structural diversity, and reduced stand densities); enhance elk and deer winter range; and reduce ground and ladder fuels.

The Proposed Action includes harvest, prescribed fire, and travel management, including OHV trail construction. This decision is for the commercial harvest and regeneration of approximately 302 acres of aspen and the removal of understory conifer trees from approximately 1000 acres of aspen dominated sites. The decision also will reconstruct portions (less than 500 feet) of Road Draw Road (FR 514). A separate decision will be made for travel management and OHV trail construction after a Supplement to the Final Environmental Impact Statement (FEIS) is released for review and comment. I have previously issued a separate decision for the use of prescribed fire.

The proposed aspen cutting actions are:

- Commercially harvest and regenerate approximately 302 acres of aspen within an area which contains 1332 acres of aspen. This will be done in clearcut harvest units which will not exceed 40 acres in size, and which do not require any road construction.

- Remove understory conifer trees from approximately 1000 acres of aspen dominated sites through non-commercial harvest. This material would be utilized as posts and poles.

The project area is located in Garfield County, Utah, approximately 7 miles northwest of Boulder, Utah. Implementation of the harvest, tree cutting, regeneration, and road reconstruction proposal would begin in May of 2000 and take place for a period of about 4 years.

The Draft Environmental Impact Statement for the Pretty Tree Bench Vegetation Project (DEIS), was released for public comment on May 21, 1999. The comment period on the DEIS closed July 6, 1999.

II. THE DECISION

A. Selected Alternative

The Pretty Tree Bench Project proposal has three primary components: aspen harvest, prescribed fire, and travel management. The project components are independent of each other, can proceed independently, and are not interdependent parts or components of a larger action. I will issue separate decisions for each of the project components. This decision is for the commercial harvest and regeneration of aspen, for conifer tree cutting within aspen stands, and for minor reconstruction on short sections of Road Draw Road.

I have reviewed the FEIS and thoroughly studied the effects of the Proposed Action and alternatives to that action. I have also reviewed the comments submitted during public involvement. I have visited the project area with members of the interdisciplinary team. After deliberation and discussion with the interdisciplinary team, the District Ranger, and members of my staff, I have decided to implement the Proposed Action, as modified by including the reconstruction of Road Draw Road. All selected actions are described in detail in the FEIS. The Aspen Regeneration Harvest, and the Aspen Maintenance are described in the Proposed Action. I recognize that these actions (Aspen Regeneration Harvest and Aspen Maintenance) do not require road construction, nevertheless, I am including in my decision the reconstruction of minor sections of Road Draw Road. These sections will be reconstructed as described in Alternatives 1 and 3. All Actions will be implemented as described in Chapter Two of the FEIS.

B. Mitigation

In addition to the standards and guidelines in the Dixie National Forest Land and Resource Management Plan (LRMP); project specific mitigation measures described in the FEIS, Chapter Two, pages 9-13 will be implemented as part of this decision. Site specific mitigation measures provide for the protection of wildlife and wildlife habitat, soil and water quality, and important visual, recreation, cultural, and roadless/undeveloped resources. Many of the mitigation requirements will be implemented as part of the Timber Sale Contract. The remaining mitigation measures will be completed during project design.

C. Monitoring and Evaluation

Monitoring of the activities associated with this portion of the Proposed Action will be implemented as described in Appendix A.1 of the FEIS. Harvest activities will be monitored by the designated Timber Sale Administrator and Harvest Inspectors.

III. REASONS FOR THIS DECISION

My decision to implement the commercial harvest activities and the understory conifer removal along with the reconstruction of minor sections of Road Draw Road is based upon the following factors:

- There is compelling need to establish aspen seedlings and for maintaining aspen communities within the project area. In fact, the landscape analysis that has been completed for the Properly Functioning Condition assessment, shows that the lack of aspen seedlings is a problem throughout a large area.

In order to maintain aspen on the landscape in the future, aspen seedlings will need to be established, and conifer succession will need to be set back.

- I have chosen to implement 302 acres of commercial harvest because this implementation action will lead to seedling establishment and will contribute to economic sustainability. Commercial harvest of aspen is in accordance with the land allocation management direction prescribed in the LRMP. This area is classified in the Dixie LRMP as suitable timber base lands, where wood products could be removed in a commercially viable and environmentally responsible manner. The harvest will contribute toward sustainable forest ecosystem management by providing a desired renewable commodity, within the ecological limits of the land.

- The Purpose and Need discussed in the FEIS provides strong basis for action. These actions will contribute to site specific objectives as well as move vegetation conditions toward Desired Future Conditions as described in the LRMP. These actions also contribute to the Forest Service Natural Resource Agenda for Sustainable Forest Ecosystem Management.

- The commercial timber harvest will be implemented without any new road construction. Minor portions of Road Draw Road (FR 514) will be reconstructed (less than 500 feet in length), as suggested during a public scoping meeting. This will be done so that wheel rutting in one section of Road Draw Road can be lessened, and proper road drainage can be provided.

- The commercial harvest and conifer understory removal are actions that are in compliance with both the Interim Roads Rule (36 CFR 212) and the Draft Roads Policy that has just been issued for a 60 day comment period. Both of these suspend the construction or reconstruction of roads in five separate categories of National Forest lands. These activities are also not in conflict with the recently issued proposal (scoping) for a Roadless Policy.

- Road Draw Road has sections that are poorly located and these sections rut easily in wet weather. This results in sediment erosion from the road and wheel rutting, as vehicles drive around those puddled sections. I have chosen to fix the problems in these road sections through reconstruction (by elevating the roadbed and draining water off the road), so that wheel rutting is lessened, and wet sections are drained. This action in turn will reduce the consequence of accelerated erosion from sediment flowing from the road during runoff events from Road Draw.

In this decision-making process, I relied upon the alternative analysis (including the No Action Alternative), that was completed by the Interdisciplinary Team, and documented within the FEIS. The selection of the aspen cutting components of the Proposed Action and the minor reconstruction work on Road Draw Road is based on the following considerations:

A. Responsiveness to the Issues
B. Responsiveness to Environmental Quality and the Purpose and Need
C. Economic Efficiency
D. Consistency with the Agency Mission and the Natural Resource Agenda
E. Reasons for Multiple Decisions.

A. Responsiveness to the Issues

The public involvement and scoping for the Pretty Tree Bench Vegetation Project has been extensive. Comments received during scoping were used to identify issues and develop alternatives that would address the issues. Following is a brief discussion of the issues identified during scoping that specifically relate to this harvest decision. A complete list of issues can be referenced in Chapter 1, Page 7 of the FEIS.

ISSUE 1: Use of timber harvest as a method for achieving age-class and structural diversity.

This issue relates to proposed commercial timber harvest and the application of management prescribed fire. Two opposing vegetation management concerns are included in this issue. First, there is a concern that commercial timber harvest is an activity which will adversely affect recreational opportunities, ecological processes, indigenous wildlife and its habitat and accelerate erosional processes. The second is a concern that the use of human prescribed fire will consume commercial growing stock (commercial trees) on lands identified as suitable for timber management activities (logging) , thereby reducing the availability of commercial timber volume to purchasers.

The consequences of commercial timber harvest and management ignited fire are analyzed in Chapter Four of the FEIS and in documentation in the Project Record. During alternative formulation, road reconstruction and the concomitant standards of reconstruction were analyzed by the Interdisciplinary Team to determine the feasibility of commercial harvest activities in aspen. The 302 acres of aspen identified for harvesting with this decision will not need any road construction, and only minor amounts of road reconstruction. The removal of wood products through the commercial harvest of aspen and aspen maintenance components can be done in an environmentally sensitive manner.

The number of acres of aspen harvest included in the action alternatives varies by avoiding all inventoried roadless areas, as well as in areas which have roadless/undeveloped character on-the-ground. The Forest is committed to regenerating aspen acres, and harvest is one tool that is appropriate. Throughout the analysis area, aspen regeneration will be accomplished through harvest on only 30% of the required acres. Prescribed fire will be used on the other 70% of the acres. Monitoring is planned to ensure implementation of effectiveness and to identify trends in ecological recovery from disturbance.

ISSUE 2; Maintaining an undeveloped character within mapped RARE II areas, roadless inventory areas of 1983/1984, and roadless inventory areas of 1997.

ISSUE 3; Maintaining undeveloped character only in those portions of RARE II areas and other roadless inventory areas which still retain undeveloped characteristics as delineated by interested parties.

These two issues relate to the consequences of management actions on the quality and quantity of undeveloped character within mapped RARE II areas, roadless inventory areas of 1983/1984, roadless inventory areas of 1997, and areas of undeveloped character. The consequences of the management activities upon the characteristics found in roadless/undeveloped and RARE II areas are discussed in Chapter Four of the FEIS and in supplemental documentation found in the Project Record. Alternative 2 was developed to address this issue.

No inventoried roadless acres will be developed with any of the alternatives considered in detail. Acres of undeveloped/unroaded influenced by management action are 732; 606; 0; and 300 for the Proposed Action, Alternative 1, Alternative 2, and Alternative 3 respectively. In total, more than 99% of the cumulative effects area will be maintained in an undeveloped and roadless state.

The consequences of the management actions in the action alternatives on roadless and undeveloped areas are primarily related to visitor experience and expectations. I have weighed the short term impacts to the landscape and to the experience of recreationists and I have found that treatments as defined in the action alternatives are needed and required to perpetuate ecological conditions that the interested and concerned public has identified with roadless and undeveloped lands on National Forest. In the selected alternative, the impacts are not permanent, and the resulting visual effects will be ameliorated through time. The selected alternative will contribute to the perpetuation of aspen as a characteristic feature of the present and future landscape.

ISSUE 4: Correcting resource damage resulting from vehicular traffic on portions of Road Draw Road where inadequate water drainage from the road exists and where the road crosses a wet meadow.

This issue relates to correcting existing drainage problems on Road Draw Road. The existing condition as described in Chapter 3 of the FEIS notes that short sections of the road are rutted and do not drain water. This was noted during a public meeting. Alternatives 1 and 3 reflect the reconstruction of these road segments so that proper water drainage is placed on the road.

The reconstruction work would occur on a classified road. No additional road lengths would result from the reconstruction, and the work does not fall within an inventoried roadless area. I believe that reconstruction of these short sections will eliminate wheel ruts and the associated sedimentation from the rutting. This will eliminate a source of sediment and will aid in enhancing water quality from nearby streams.

ROADLESS/UNDEVELOPED CHARACTER

Public interest in management of roadless/undeveloped areas was expressed during the public involvement period. The analysis as presented, carefully assessed existing conditions and disclosed the effect that the Proposed Action has on the undeveloped character. The effects of vegetation management on roadless/undeveloped character are not expected to be substantially noticeable after 20 years. The roadless/undeveloped characteristics will be maintained on more than 99% of the area within the cumulative effects area.

I have carefully evaluated the Purpose and Need, comments submitted by the public and the LRMP direction for this area and I find that a modest amount of commercial timber harvest is an appropriate method of regenerating and perpetuating aspen.

INTERIM ROADS RULE (36 CFR 212)

The Interim Roads Rule suspends the construction or reconstruction of roads in all remaining unroaded portions of RARE II inventoried roadless areas; all National Forest System unroaded areas of 1,000 acres or more contiguous to inventoried roadless areas; all National Forest System unroaded areas greater than 1,000 acres or more that are contiguous to congressionally designated wilderness areas or that are contiguous to Federally-administered components of the national wild and scenic river system which are classified as wild; and all National Forest System unroaded areas greater than 1,000 acres that are contiguous to unroaded areas of 5,000 acres or more on other federal lands.

I have carefully evaluated the modified selected alternative, based upon the analysis in the FEIS and Project Record and I find the implementation of reconstruction activities on Road Draw Road (FR 514)

is in compliance with the Interim Rule. Road Draw Road is a classified road, which is a road that is constructed or maintained for long-term highway vehicle use. Classified roads may be public, private or forest development (36 CFR 212.13(a)(1)(i)). Road Draw Road is located tangentially along the southeast side of an unroaded area of 1,000 acres or more that is contiguous to an inventoried roadless area. Road Draw Road forms a border for the unroaded polygon and thus is not in a listed suspension category. Additionally, Garfield County has made an assertion on this road pursuant to RS2477 and thus the road may be under the jurisdiction of the county as a public road; which is a road open to public travel that is under the jurisdiction of and maintained by a public authority such as States, counties and local communities (36 CFR 212 (A)). Therefore, I have included the limited reconstruction of Road Draw Road.

This decision also complies with the recent announcement of the agency Draft Roads Policy which is now available for review and comment. If the Policy is adopted unchanged from the draft, there will not be any necessary change to this decision.

GRAND STAIRCASE-ESCALANTE NATIONAL MONUMENT

The Pretty Tree Bench Vegetation Project analysis area shares a common boundary with the GSENM for approximately 4.75 miles. The commercial aspen harvest and understory conifer removal are not adjacent to the common boundary with the GSENM, nor will they be seen from Monument lands. Therefore, there will be no effect to the outstandingly remarkable values that the Monument is designated to protect.

TIMBER HARVEST AND ASPEN CLEARCUTTING

This decision provides for 302 acres of aspen harvest and 1000 acres of understory conifer removal within aspen stands. The 302 acres will use the even age practice of clearcutting. The need for creating an aspen seedling class is clearly described in the FEIS. I have selected the practice of clear-cut harvesting (on 302 acres), based on this need and the direction provided in the LRMP. The harvest of green trees is an appropriate way to achieve this seedling objective.

I am also aware that this will be done in clear-cut blocks of less than 40 acres in size. I have discussed the practice of clearcutting with the project professionals, and have also checked the use of this practice with the scientific community. Peer reviewed science informs us that this practice is very successful and very appropriate for the regeneration of aspen. It is the optimum harvest choice for achieving aspen regeneration objectives.

Removing invading conifer from 1000 acres of aspen is also important if the objective of maintaining aspen on the landscape is going to be achieved. Not only will these aspen areas be placed into a more stable condition, they will also provide post and pole products for individual use.

ECONOMICS

I have looked at the economics associated with this decision and accept the expenses as a cost of doing necessary public land management. Waiting for a disturbance to randomly occur, will not provide desired conditions quickly enough. The risk of maintaining unbalanced vegetation structure that occurs in unmanaged situations is also too great. Therefore, I am making the investment to provide for the structural and age class diversity intrinsic in a healthy ecosystem.

In evaluating comments relative to timber receipts, I understand that there is no agency policy which requires timber sales to make money. Likewise, there is no requirement for any managed resource (e.g.

wildlife, recreation, wilderness), to show a profit either. I acknowledge and accept the fact that in order to provide for healthier conditions on the land, the management actions that are implemented will be done at a cost. I consider the expenses incurred for the selected activities to be a prudent expenditure of funds allocated by Congress for the purpose of providing wood products, healthy ecosystems and well maintained roads.

B. Responsiveness to Environmental Quality and the Purpose and Need

The Purpose and Need of the Proposed Action, is stated in Chapter One of the FEIS, on pages 1-1 through 1-4. I believe that using harvest, tree cutting, natural regeneration and minor road reconstruction on Road Draw Road, will best meet the stated Purpose and Need.

Chapter Three of the FEIS, describes the resources within the Pretty Tree Bench area. Vegetation conditions have changed through time because of the absence of disturbance, and in doing so, the younger age classes in nearly all vegetation types have become scarce. Varieties of age and vegetation structure are important in order to provide a variety of plant and wildlife habitats. A landscape dominated by late seral conditions, as is the case in some of these vegetation types, does not provide for plant or wildlife species which depend on early seral conditions. Utilization of wood fiber is important for providing employment within the forest products sector of the Southern Utah economy. In addition, a processing facility for aspen has demonstrated interest and can contribute to achieving the regeneration objective through harvest.

Chapter Four of the FEIS describes the direct, indirect and cumulative effects to resources by alternative, including the no-action alternative. I have reviewed the effects of the alternatives, and believe that implementing this decision will provide the greatest opportunity in the long term, to establish aspen regeneration, offer commercially viable wood products, and set back succession of the invading mixed conifer so that aspen will persist on the landscape. The mitigations described in Chapter Two of the FEIS, were specifically designed for the project area. These mitigations will reduce impacts of the proposed action and road reconstruction to wildlife and wildlife habitat, soil and water resources, and important visual, recreation, cultural, and roadless/undeveloped resources.

This decision moves the project area towards the desired future condition, meets the Purpose and Need for the project area, and addresses the issues that have been identified.

C. Economic Efficiency

The costs and benefits of implementing this decision are factors which have been considered. Costs for a project similar to this are generally determined by the harvest system that is used to remove the logs, the amount of cleanup, the cost of road reconstruction, and the cost of cutting the understory trees. Benefits calculated in the economic analysis relate to the timber outputs produced. It is difficult to quantify costs and benefits associated with non-commodity resources for reasons discussed in the FEIS. Nevertheless, I am confident that the Environmental Consequences found in Chapter IV of the FEIS have accurately reflected that qualitative nature of beneficial and adverse, short and long-term impacts.

Approximately 1.4 million board feet of forest products would be harvested under this decision. The direct benefits would include timber sale receipt money of $52,866.24. Based on the 1997 TSPIRS report for the Dixie National Forest, the timber sale would provide 21 jobs, produce $1,051,246.08 in

local income, and produce $157,649.77 in federal income tax revenue. The direct costs associated with this decision include sale administration costs of $21,876.33 and sale preparation costs of $51,479.91.

The cost per acre for reforesting the aspen acres will be approximately $68.00/ac. This is a reasonable cost for reforestation.

D. Consistency with the Agency Mission and the Natural Resource Agenda

The mission of the USDA Forest Service is to manage lands for a variety of resource needs while providing for healthy ecosystems. Ecosystem management is an ecological approach to natural resource management. Management of ecosystems encompasses blending the biological and physical needs of that particular ecosystem, with the social and economic needs of the humans who use the ecosystem. I believe that this decision provides great benefit for the aspen type and provides for diverse needs. Forest health, productivity, diversity, and long term scenic values are promoted while providing for a variety of uses.

A Gradual Unfolding of a National Purpose: A Natural Resource Agenda for the 21st Century focuses upon four key areas of National Forest Management; Watershed Health and Restoration; Sustainable Forest Ecosystem Management; Forest Roads and Recreation. This decision incrementally moves the Forest Service toward that National Purpose.

The goals of the Natural Resource Agenda for Watershed Health and Restoration are addressed by the management actions of the selected alternative. I have evaluated the analysis contained in the FEIS and I conclude that the management actions contained in the selected alternative will fortify the resiliency of the watersheds that comprise the Pretty Tree Bench Project Area to natural events such as floods, fire and drought. In addition these watershed would be more capable of absorbing the consequences of human-induced disturbances.

The goal of Sustainable Forest Ecosystem Management is addressed by the selected alternative. The selected alternative advances the sustainability of forest ecosystems by: reducing forest fuel buildups, inflicting new and different patterns of disturbance upon the characteristic vegetation, and reducing air pollution emissions from releases of smoke and particulates by harvesting commercial tree species. I am keenly aware of the importance of aspen as a significant component of biological diversity in the forests of the Intermountain West. The project provides the opportunity for personal use post and pole cutting by making wood products from the 1,000 acres, where removal of understory conifer growth occurs, available for a personal use program. The project uses the science of forest management to sustain and perpetuate aspen indefinitely.

Forest Roads are a key area in the Natural Resource Agenda. I am satisfied that the selected alternative best serves the management objectives and public uses of national forest and grasslands while protecting the health of our watersheds. My decision will reduce environmental damage by curtailing sediment and overland flow and improve the standard of road for public safety and environmental protection.

The key area of Recreation in the Natural Resource Agenda is indirectly addressed by the selective alternative. The aspen clear-cut will, in the short-term, look like the typical clear-cut. Scientific literature and the FEIS allows me to be reasonably assured that within 15 to 25 years a new sapling to pole sized stand of aspen will be established.

I believe that the management actions included in the selective alternative will improve the quality of the recreational setting by enhancing color, form, texture, line found within the characteristic landscape of Pretty Tree Bench. My selection of the Proposed Action will maintain more than 99 % of the inventoried and undeveloped lands in the Cumulative Effects Analysis Area.

E. Reason for Multiple Decisions

The Pretty Tree Bench project proposal consists of three primary components: timber harvest, prescribed fire, and travel management. Since publication of the Notice of Availability for the Draft Environmental Impact Statement for the Pretty Tree Bench Vegetation Management Project (May 21, 1999), one substantial policy change has occurred specific to the travel management.

The Forest Service has been working on a transportation policy to guide management of National Forest road systems. The Interior Roads Rule (March 1, 1999) initiated policy development for the transportation system. Interim manual direction requires use of a Roads Analysis Process (RAP) to guide and inform decision-makers in their choices regarding road management. The travel management actions proposed in the FEIS will be deferred until completion of the RAP for the Pretty Tree Bench Project Area. A separate decision will be made for travel management and OHV trail construction after a Supplemental to the Final Environmental Impact Statement (FEIS) is released for review and comment.

In reviewing the FEIS, the project components are independent of each other, can proceed independently, and are not interdependent parts or components of a larger action. I will issue separate decisions for each of the project components.

IV. PUBLIC INVOLVEMENT

A. Public Participation

Public involvement for the Pretty Tree Bench Vegetation Project began on January 23, 1998, when a letter and scoping notice which described the Proposed Action were mailed to all parties who had expressed an interest in vegetation management proposals on the Escalante Ranger District. This original proposal included only the treatments associated with the pinyon/juniper and sagebrush vegetation types.

Based on the comments received and additional analysis completed by Forest Service specialists, the scope of the original burn proposal was expanded to include treatments in other vegetation types, and to analyze travel management options as described in the proposed action. On June 30, 1998 a new scoping notice was mailed which amended the original proposal.

These scoping activities yielded twenty-one written responses and two telephone responses. Members of the Interdisciplinary Team (IDT) briefed the city council of Boulder, Utah, on February 4, 1998. On September 15, 1998, the IDT met with interested individuals and received their comments.

The Notice of Intent (NOI) to prepare an Environmental Impact Statement was published in the Federal Register on November 16, 1998. The Notice of Availability (NOA) was published in the Federal Register on May 21, 1999, with a comment review due date of July 6, 1999. Letters were sent to tribal governments in the Dixie National Forest's area of influence and within the tribes' aboriginal territories; they were asked about their interest in National Forest projects and their desire to consult under new

National Historic Preservation Act (NHPA) regulations. A completed record of all public involvement is in the project file.

I appreciate the time and effort of all parties who participated in the analysis process. I especially appreciated those who took time to participate in the public meetings. The information provided by interested parties has greatly helped our understanding of issues and concerns regarding this proposal.

B. Issues Identified

The IDT analyzed and categorized the scoping responses into the following major issues which are summarized below:

Issue One: Use of timber harvest as a method for achieving the age-class and structural diversity.

Issue Two: Maintaining an undeveloped character within mapped RARE II areas, roadless inventory areas of 1983/84, and roadless inventory areas of 1997.

Issue Three: Maintaining an undeveloped character only in those portions of the RARE II area and other roadless inventory areas which still retain undeveloped characteristics.

Issue Four: Correcting resource damage resulting from vehicular traffic on portions of Road Draw Road where inadequate water drainage from the road exists and where the road crosses a wet meadow.

Issue Five: Continued motorized use of Road Draw Road and development of an OHV trail loop could be an intrusion within the roadless areas mentioned in #3 above.

Issue Six: Closure of Road Draw Road. The County considers Road Draw Road as a RS-2477 road, and therefore, asserts jurisdiction over the road. Road Draw Road is recorded as a historical overland route connecting the towns of Loa and Bicknell in Wayne County to the Town of Boulder in Garfield County.

Issue Seven: Use and application of non-native plant seeds to some burn areas might be detrimental to the natural ecosystem.

C. Public Comments to the DEIS

On May 6, 1999 the Pretty Tree Bench Vegetation Management Project Draft Environmental Impact Statement (DEIS), was sent to members of the public who had commented on the project, and elected officials. Eight letters from seven different parties were received during the review period of May 21, 1999 through July 6, 1999. Since that time, forty-five letters and three telephone calls have been received. All comments were individually assessed. Documentation of the public involvement work is disclosed in the FEIS for the Pretty Tree Bench Vegetation Management Project, as well as within the Project File.

V. ALTERNATIVES CONSIDERED

The analysis for the Pretty Tree Bench Vegetation Project considered five alternatives in detail. The effects of these alternatives are discussed in Chapter Four of the FEIS. An additional three alternatives

were considered by the IDT, but were not studied in detail. The rational for the elimination of the alternatives not considered is discussed in Chapter Two of the FEIS. The alternatives not studied in detail and the five alternatives described in detail are fully discussed in Chapter Two of the FEIS. The following is a brief discussion.

A. Alternatives Eliminated from Detailed Study

- Use of chaining and roller chopping for pretreatment of fuels within the pinyon/juniper burn areas.
- Use of commercial timber sales to accomplish all of the aspen regeneration treatments.
- Reducing livestock grazing levels and allowing natural fire to provide disturbance.

B. Alternatives Considered in Detail

Alternatives considered in detail were formulated from the issues identified during the scoping process and from comments received during the DEIS review period. They were also based on project objectives and goals, and objectives and desired future conditions in the LRMP.

No Action - Proposed vegetation treatment activities would not take place at this time. Considerations of such activities in the future would not be precluded. Existing activities such as personal use fuelwood cutting, livestock grazing, fire protection, and recreational pursuits of off road motorized and non-motorized use would continue. Big game winter range would not be enhanced, the risk of catastrophic fire would remain high, and a balance of vegetation structures would not be realized. The No Action Alternative does not meet the purpose and need defined for this project. I have not selected this alternative because it is important to reduce fire risk, create vegetative diversity, and to enhance winter range for wildlife.

Alternative 1: This alternative excludes the commercial harvest of aspen; it provides for aspen regeneration only through burning. It would reconstruct minor portions of Road Draw Road. Seeding practices, road closure, and OHV trail construction are the same as in the Proposed Action. This alternative would include burning the modest number of acres (300) designated for commercial timber harvest in the Proposed Action. Some comments were completely opposed to management of aspen by any commercial methods; others demanded that commercially harvested acres be held to the least number of acres analyzed. I have evaluated those concerns based on the discussion of Environmental Consequences (Chapter IV, FEIS). I believe that the number of acres designated for commercial aspen harvest is appropriate to achieve the disturbance needed to sustain this critical species. Moreover, I believe that commercial harvesting can be accomplished with sensitivity to concerns raised by participants in this environmental analysis process and without constructing a road system to access these acres. This type of management activity is consistent with the Goals and Objectives, Management Direction and Standard and Guidelines contained in the Land and Resource Management Plan for the Dixie National Forest. Therefore, I am not selecting this alternative.

Alternative 2: This alternative excludes cutting within unroaded areas; reduces commercial harvest of aspen to 166 acres, and reduces understory conifer cutting to 425 acres. The acres of aspen harvest and conifer cutting are located within a developed area as defined by one segment of the public. It provides

for reseeding only with native seed, and would close Road Draw Road. The OHV trail would not be constructed.

I have not selected this alternative because native seed sometimes will not provide for ground protection or protection from erosion, as well as seed that establishes more quickly. I have emphasized the use of native seed, but it may be necessary to apply non-native seed to those areas where rapid plant growth and establishment is needed. Moreover, this alternative was not selected because treating only 300-350 acres of pinyon/juniper will not create an adequate younger age structure needed to attain desirable plant and vegetation conditions. I also feel it is important to extend the longevity of aspen stands so that aspen exists in a more balanced state through time. Conifer cutting (aspen maintenance) on only 425 acres will not create the balanced condition that this landscape needs. Finally, commercial aspen harvest of 166 acres is not sufficient to effect the disturbance necessary to sustain aspen. The harvest of an additional 136 acres in the selected alternative which can be done in an environmentally responsible manner and without road construction is a more desired choice

Alternative 3: This is similar to Alternative 2, except it would reconstruct Road Draw Road and close it seasonally; use the allotment fence as the unroaded boundary and allow treatment cuts only west of it; allows commercial aspen harvest of 204 acres, and allows understory conifer cutting in aspen stands on 650 acres. Seeding practices are the same as in the Proposed Action. The OHV trail would be constructed and seasonally closed.

Commercial aspen harvest of 204 acres is insufficient to move the vegetative communities of Pretty Tree Bench toward the desired mix of age classes, size classes and species. I alluded earlier to comments that completely opposed management of aspen by any commercial methods, or demanded that commercially harvested acres be held to the least number of acres analyzed. I evaluated them based on the discussion of Environmental Consequences (Chapter IV, FEIS). I believe the number of acres designated for commercial harvest activities is not sufficient to effect the disturbance necessary to sustain aspen. The harvest of an additional 98 acres in the selected alternative, which can be done in an environmentally sensitive manner, is a more desired choice. I also feel that extending the longevity of aspen stands is an important component of the desired landscape. Conifer cutting (aspen maintenance) on only 650 acres will not create the balanced conditions that this landscape needs. Therefore, I am not selecting this alternative.

VI. FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS

After consideration of the discussion of environmental consequences (FEIS, Chapter Four), I have determined that the decision to treat aspen stands as described in the Proposed Action, and to reconstruct the poorly aligned sections of Road Draw Road is consistent with other applicable laws and regulations, as outlined in the FEIS. Detailed discussion of laws and regulations are provided in the FEIS in Chapter Four on pages 4-199 through 4-208.

A. Consistency with the Forest Plan Direction

Regulations and Requirements - All resource plans are to be consistent with the Dixie National Forest Land and Resource Management Plan (Forest Plan) [16 U.S.C. 1604 (i)]. The Forest Plan guides all natural resource management activities [36 Code of Federal Regulations (CFR) 219.1 (b)]. All administrative activities affecting the National Forest must be based on the Forest Plan [36 CFR 219.10 (e)].

The Forest Plan was approved in September of 1986. The FEIS for the Pretty Tree Bench Vegetation Project tiers to the FEIS for the Forest Plan. The Forest Plan provides the overall guidance for management activities by specifying goals and objectives, desired future conditions, management direction and standards and guidelines.

The features of this decision have been evaluated against the goals and objectives of the Forest Plan, as well as the resource standards and guidelines for consistency with the plan. All management activities included in the decision are in full compliance with and in many cases exceed Forest Plan goals, objectives and standards.

The Dixie National Forest recently began an amendment to the forest Plan to implement the Scenery Management System. If the amendment is adopted before implementation of this project, specific management area direction will be compared and analysis completed to ensure compliance with scenic integrity objectives and associated standard and guidelines.

The Utah National Forests are working together on an amendment to each forest's LRMP to guide restoration and maintenance of fire-adapted ecosystems through wildland fire use and prescribed fire, consistent with land uses and historic fire regimes. The decision for the Pretty Tree Bench Project Area is consistent with the proposed action and alternatives that will soon be published in the environmental assessment for the amendment.

The Utah National Forests have initiated a LRMP amendment process to integrate the Goshawk Conservation Strategy into existing LRMP standards, guidelines, and desired conditions. The proposed action is consistent with the conservation strategy and with the alternatives described in the Utah Northern Goshawk Project Environmental Assessment.

B. Consistency with the National Forest Management Act

This decision is consistent with the National Forest Management Act (NFMA) of 1976 in meeting the management requirements detailed in implementing regulations at 36 CFR 219.27 (a) through (g). Specifically, the management prescriptions for the decision provide for thoughtful management of soil, water, air, wildlife, fishery resources and other uses under 36 CFR 219.27 (a)(1) through (12). Additional discussion of NFMA consistency can be found on pages 4-199 to 4-202 of the FEIS.

C. Consistency with Other Laws and Regulations

Clean Water Act - The Clean Water Act requires each state to implement its own water quality standards. The State of Utah's Water Quality Antidegradation Policy requires maintenance of water quality to protect existing instream Beneficial Uses on streams designated as Category 1 High Quality Water. All surface waters geographically located within the outer boundaries of the Dixie National Forest, whether on private or public lands are designated as High Quality Waters (Category 1). This means they will be maintained at existing high quality. New point sources will not be allowed, and nonpoint sources will be controlled to the extent feasible through implementation of Best Management Practices (BMPs) or regulatory programs (Utah Division of Water Quality 1994). The State of Utah and the Forest Service have agreed through a 1993 Memorandum of Understanding to use Forest Plan Standards

& Guidelines and the Forest Service Handbook (FSH) 2509.22 Soil and Water Conservation Practices (SWCPs) as the BMPs. The use of SWCPs as the BMPs meet the water quality protection elements of the Utah Nonpoint Source Management Plan and the Nonpoint Source Management Plan for Silvicultural Activities.

The Beneficial Uses of water in the streams draining the Project Area would be maintained during and following project implementation through the proper implementation of BMP's (SWCPs) as described in Chapters Two and Four.

Executive Order 11990 Of May, 1977 - This order requires the Forest Service to take action to minimize destruction, loss, or degradation of wetlands and to preserve and enhance the natural and beneficial values of wetlands. In compliance with this order, Forest Service direction requires that an analysis be completed to determine whether adverse impacts would result.

The location of wetland areas in the project area were identified in the delineation and inventory of sensitive watershed areas. Impacts from adjacent or nearby areas will be prevented through implementation of SWCPs as described in Chapter Two (Mitigation). Any of the alternatives would be in compliance with Executive Order 11990.

Executive Order 11988 Of May, 1977 - This order requires the Forest Service to provide leadership and to take action to (1) minimize adverse impacts associated with occupancy and modification of floodplains and reduce risks of flood loss, (2) minimize impacts of floods on human safety, health, and welfare, and (3) restore and preserve the natural and beneficial values served by flood plains. In compliance with this order, the Forest Service requires an analysis be completed to determine the significance of proposed actions in terms of impacts to flood plains.

Impacts from adjacent or nearby areas will be prevented through implementation of SWCP's as described in Chapter Two. Impacts related to trail crossings will be minimized or prevented through implementation of SWCP's. Therefore any of the proposed alternatives will be in compliance with Executive Order 11988.

Endangered Species Act Of 1973, As Amended - Based on discussions in Chapters Three and Four concerning threatened and endangered plant and wildlife species; correspondence with USFWS; and detailed discussions contained in the Biological Assessment located in the Project File, it has been determined that there would be no adverse effects to populations of threatened, endangered, or proposed wildlife or plant species relative to the decision.

American Antiquities Act Of 1906 and Historic Preservation Act of 1966 - Based on the discussion in Chapters Three and Four concerning Heritage Resources and the project file documentation, it has been determined that there will be no measurable effects to any Historic Properties relative to this decision.

Clean Air Act, As Amended In 1977 - Based on discussions in Chapters Three and Four concerning Air Quality, it has been determined that there would be no measurable effects to air quality in Class I or II airsheds relative to the decision.

Forest and Rangeland Renewable Resources Planning Act of 1974 - Section 10, Part C of this Act, under Transportation System, states that "...any road constructed on National Forest System Lands in

connection with timber contracts or permits shall be designed with the goal of reestablishing vegetative cover on the roadway and areas where the vegetative cover has been disturbed by the construction of the road, within 10 years after the termination of the contract, permit, or lease either through artificial or natural means."

There will be no roads constructed with this decision. Short sections of Road Draw Road will be reconstructed to reduce wheel rutting and properly drain the road. This provision is met.

Civil Rights - Based on comments received during scoping and the comment period for the DEIS, no conflicts have been identified with other Federal, State, or local agencies or with Native Americans, other minorities, women, or civil rights of any United States citizen.

Secretary of Agriculture Memorandum, 1827 - This decision is in conformance for prime farmland, rangeland, and forest land.

Energy - This decision would not have unusual energy requirements.

Mining - This decision would have no effects on the availability of lands for mining, under federal mining laws and regulations.

Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-income Populations." - This order requires the Forest Service to take action to the extent practicable and permitted by law to make achieving environmental justice part of its mission by identifying and addressing as appropriate, disproportionately high and adverse human health effects, of its programs policies and activities on minority populations and low-income populations in the United States and territorial possessions. In compliance with this Executive Order, The Dixie National Forest, through intensive Scoping and Public Involvement attempted to identify interested and affected parties, including minority and low-income populations for this project. The Forest defined a range of alternatives to be evaluated and analyzed the consequence of the alternatives on the quality of the human environment. A comment period was held for 45-days for the Draft Environmental Impact Statement following the U.S. Environmental Protection Agency's publication of the Notice of Availability in the Federal Register.

The land described in this analysis is managed by the USDA Forest Service as the Dixie National Forest. The decision for this document will not amend or preclude any existing private or treaty rights in the Pretty Tree Bench Project Area. No minority or low-income populations were identified during public involvement activities.

VII. ENVIRONMENTALLY PREFERRED ALTERNATIVE

The environmentally preferred alternative best fulfills the following six goals as stated in the National Environmental Policy Act (Title 1, Section 151 (b)):

1. Fulfills the responsibilities of each generation as trustee of the environment for succeeding generations.

2. Assures all Americans safe, healthful, productive and aesthetically and culturally pleasing surroundings.

3. Attains the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences.

4. Preserves important historic, cultural and natural aspects of our national heritage, and maintains wherever possible, an environment which supports diversity and a wide variety of individual choices.

5. Achieves a balance between the human population and resource uses which permits high standards of living and a wide sharing of life's amenities.

6. Enhances the quality of renewable resources and approaches the maximum attainable recycling of depleted resources.

The Proposed Action is the environmentally preferred alternative. My decision, which selects aspen treatments from the Proposed Action, and reconstruction of Road Draw Road from Alternative 1, gives a balanced approach to the attainment of these goals at this time.

VIII. IMPLEMENTATION AND ADMINISTRATIVE REVIEW

This decision is subject to appeal pursuant to Forest Service regulations at 36 CFR 215.7. A written notice of appeal must be postmarked or received by the Appeal Deciding Officer, Regional Forester Jack Blackwell, USDA Forest Service, 324 25th Street, Ogden, Utah 84401, within 45 days after the date this notice is published in The Daily Spectrum, St. George, Utah. Appeals must meet the content requirement of 36 CFR 215.14. If no appeal has been filed, this decision will be implemented 5 days after the close of the appeal filing period.

For further information on this project, contact Kevin R. Schulkoski, District Ranger, Escalante Ranger District, 755 West Main Street, Escalante Utah, 84726, or phone (435) 826-5400,

Mary Wagner
MARY WAGNER
Forest Supervisor
Dixie National Forest

3·31·00
Date

Proposed Action: Aspen Harvest Areas